

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69843

This is to certify that: ROBERT P DREYER
PO BOX 4917
KETCHUM ID 83340
(208)726-2874

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-2614	AJC/License	05/18/1959	2.00 cfs	450.0 af	N/A	150.0	GROUND WATER
37-14289	AJC/Beneficial Use	04/15/1978	0.29 cfs	50.8 af	N/A	14.5	GROUND WATER
37-1153B	AJC/Decreed	06/30/1888	1.40 cfs	N/A	N/A	164.5	WILLOW CREEK

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-2614	NO	NO	YES	YES	NO	NO
37-14289	NO	NO	YES	YES	NO	NO
37-1153B	NO	NO	YES	YES	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
37-2614	37-2614	2.00 cfs	450.0 af	150.0	164.5		N/A	N/A	N/A	N/A
37-14289	37-14289	0.29 cfs	50.8 af	14.5	164.5		N/A	N/A	N/A	N/A
37-1153B	37-1153B	1.40 cfs	N/A	70.0	164.5		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		3.40 cfs	N/A	164.5	164.5		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 6th day of December, 20 03



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-2614
As Modified by Transfer No. 69843

In accordance with the approval of Transfer No. 69843, Water Right No. 37-2614 is now described as follows.

Right Holder: ROBERT P DREYER
 PO BOX 4917
 KETCHUM ID 83340

Priority Date: May 18, 1959

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	2.00 CFS	450.0 AF
			2.00 CFS	450.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NENENE	Sec. 13 Twp 01S Rge 18E BLAINE County
GROUND WATER (Injection)	NENENE	Sec. 13 Twp 01S Rge 18E BLAINE County
GROUND WATER (Rediversion)	SWSESW	Sec. 13 Twp 01S Rge 18E BLAINE County
GROUND WATER (Rediversion)	NESWSE	Sec. 13 Twp 01S Rge 18E BLAINE County
GROUND WATER	SWSWSE	Sec. 13 Twp 01S Rge 18E BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	18E	13												14.5				12.7	27.2
01S	18E	24	13.1	39.4	13.3		27.9			39.8	3.8								137.3

Total Acres: 164.5

CONDITIONS OF APPROVAL

1. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the department for measuring the flow from both artesian wells and any water being injected into Willow Creek and at all points of re-diversion from Willow Creek.
2. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
4. This right is limited to the irrigation of 150 acres within the place of use described above in a single irrigation season.

WATER RIGHT NO. 37-2614
As Modified by Transfer No. 69843

CONDITIONS OF APPROVAL

5. The total instantaneous diversion of water from all points of diversion under Rights 37-2614 and 37-14289 shall not exceed 2.00 cfs, nor total combined annual volume of 500.8 af.
6. Rights 37-2614, 37-14289 and 37-1153B when combined shall not exceed a total diversion rate of 3.40 cfs and the irrigation of 164.5 acres.
7. Rights 37-2614, 37-14289 and 37-1153B are all diverted or re-diverted through the point(s) of diversion on Willow Creek described above.
8. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
9. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
10. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
11. The diversion and use of water described in this right may be subject to additional conditions and limitations as described in the SRBA court order dated 1/28/2002 which approved the stipulated agreement between parties for the use of the artesian well located within the NENE S13, T01S, R18E. Said order may be enforceable by a court of law.
12. Right No. 37-14289 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
13. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 6th day of December, 20 03



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-14289
As Modified by Transfer No. 69843

In accordance with the approval of Transfer No. 69843, Water Right No. 37-14289 is now described as follows.

Right Holder: ROBERT P DREYER
 PO BOX 4917
 KETCHUM ID 83340

Priority Date: April 15, 1978

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	0.29 CFS	50.8 AF
			0.29 CFS	50.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NENENE	Sec. 13 Twp 01S Rge 18E BLAINE County
GROUND WATER (Injection)	NENENE	Sec. 13 Twp 01S Rge 18E BLAINE County
GROUND WATER (Rediversion)	SWSESW	Sec. 13 Twp 01S Rge 18E BLAINE County
GROUND WATER (Rediversion)	NESWSE	Sec. 13 Twp 01S Rge 18E BLAINE County
GROUND WATER	SWSWSE	Sec. 13 Twp 01S Rge 18E BLAINE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S 18E 13												14.5			12.7		27.2
01S 18E 24	13.1	39.4	13.3		27.9			39.8	3.8								137.3

Total Acres: 164.5

CONDITIONS OF APPROVAL

1. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the department for measuring the flow from both artesian wells and any water being injected into Willow Creek and at all points of re-diversion from Willow Creek.
2. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
4. This right is for an enlargement of 14.5 acres within the place of use described above. This right is an enlargement of right 37-2614 pursuant to Section 42-1426, Idaho Code.

WATER RIGHT NO. 37-14289
As Modified by Transfer No. 69843

CONDITIONS OF APPROVAL

5. The total instantaneous diversion of water from all points of diversion under Rights 37-2614 and 37-14289 shall not exceed 2.00 cfs, nor total combined annual volume of 500.8 af.
6. Rights 37-2614, 37-14289 and 37-1153B when combined shall not exceed a total diversion rate of 3.40 cfs and the irrigation of 164.5 acres.
7. Rights 37-2614, 37-14289 and 37-1153B are all diverted or re-diverted through the point(s) of diversion on Willow Creek described above.
8. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
9. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
10. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
11. The diversion and use of water described in this right may be subject to additional conditions and limitations as described in the SRBA court order dated 1/28/2002 which approved the stipulated agreement between parties for the use of the artesian well located within the NENE S13, T01S, R18E. Said order may be enforceable by a court of law.
12. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 6th day of December, 20 03



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-1153B
As Modified by Transfer No. 69843

In accordance with the approval of Transfer No. 69843, Water Right No. 37-1153B is now described as follows.

Right Holder: ROBERT P DREYER
 PO BOX 4917
 KETCHUM ID 83340

Priority Date: June 30, 1888

Source: WILLOW CREEK

Tributary: BIG WOOD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/31	1.40 CFS	
			1.40 CFS	

LOCATION OF POINT(S) OF DIVERSION:

WILLOW CREEK SWSESW Sec. 13 Twp 01S Rge 18E BLAINE County

WILLOW CREEK NESWSE Sec. 13 Twp 01S Rge 18E BLAINE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S 18E 13												14.5			12.7		27.2
01S 18E 24	13.1	39.4	13.3		27.9			39.8	3.8								137.3

Total Acres: 164.5

CONDITIONS OF APPROVAL

1. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
3. This right is limited to the irrigation of 70 acres within the place of use described above in a single irrigation season.
4. Rights 37-2614, 37-14289 and 37-1153B when combined shall not exceed a total diversion rate of 3.40 cfs and the irrigation of 164.5 acres.
5. Rights 37-2614, 37-14289 and 37-1153B are all diverted or re-diverted through the point(s) of diversion on Willow Creek described above.

WATER RIGHT NO. 37-1153B
As Modified by Transfer No. 69843

CONDITIONS OF APPROVAL

6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 6th day of December, 20 03


Chief, Water Allocation Bureau